



PATENT
Attorney Docket No.: 2152-3011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Lester F. Ludwig

Serial No: 10/665,439

Filed: September 18, 2003

For: RELATIVE OPTICAL PATH PHASE RECONSTRUCTION
IN THE CORRECTION OF MISFOCUSED IMAGES USING
FRACTIONAL POWERS OF THE FOURIER TRANSFORM

Art Unit: 2625

Examiner: Kanjibhai B. Patel

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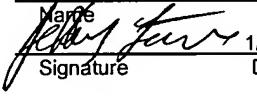
Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450, on

January 26, 2006

Date of Deposit

Jeffrey J. Lotspeich

Name

 1/26/2006

Signature Date

TRANSMITTAL OF ISSUE FEE

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Allowance dated November 21, 2005, enclosed are the following:

- Form Part B - Issue Fee Transmittal.
- Advance Order for 15 patent copies (at \$3 per copy).
- Payment by credit card. Form PTO-2038 is attached.
- Comment on Statement of Reasons For Allowance
- Transmittal of Change of correspondence address
- Inventor(s) or Assignee(s) is entitled to **SMALL** entity.
- Certified copy of ____ Patent Application No. ____ filed ____ from which priority is claimed under 35 U.S.C. § 119. Acknowledgment of the priority document is respectfully requested to ensure that the subject information appears on the printed patent.
- Copy of the Assignment and recordation cover letter sent today to the Assignment Division.
- A Rule 312(a) Amendment is being filed concurrently herewith.
- Formal Drawings are being filed concurrently with the Official Draftsman.

The Commissioner is hereby authorized to charge any deficiency in payment or credit any overpayment to Deposit Account No. 502290. A copy of this Transmittal is enclosed.

Respectfully submitted,

LEE, HONG, DEGERMAN, KANG & SCHMADEKA

Date: January 26, 2006

By:



Jeffrey J. Lotspeich
Registration No. 45,737
Attorney for Applicant(s)

801 S. Figueroa Street, 14th Floor
Los Angeles, California 90017
Telephone: 213-623-2221
Facsimile: 213-623-2211



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**COMMENT ON STATEMENT OF REASONS
FOR ALLOWANCE**

Mail Stop Issue Fee
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant has the following brief comment concerning the Examiner's Statement of Reasons for Allowance.

REMARKS

The Notice of Allowability indicated that the reasons for allowance have been provided in paragraph 5 of the last Office Action, mailed on September 21, 2005. With regard to such comments, Applicant submits that there are both method and apparatus claims in this application. To the extent that the Examiner's Statement might be construed as implying that the apparatus could only be practiced using a method with the characteristics set forth in the Statement, Applicant would respectfully disagree. Each claim stands on its own; attributes of apparatus claims should not be imputed to method claims, and vice versa. Applicant further notes that the Examiner's Statement presents the claimed invention in terms which are neither reproduced, *verbatim*, from the claims, nor consistent with the language cited in the claims. Applicant respectfully submits that the claims are patentable for, and should be construed in accordance with, their respective recitation. To the extent that the language employed in the Examiner's Statement is not a direct quotation from the claims, Applicant submits that the Statement should not be construed in any limiting sense with respect to the scope of the terms used in the claims themselves.

Respectfully submitted,

Lee, Hong, Degerman, Kang & Schmadeka

Date: January 26, 2006

Customer No. 035884

By:



Jeffrey J. Lotspeich

Registration No. 45,737

Attorney for Applicant

Lee, Hong, Degerman, Kang & Schmadeka
801 S. Figueroa Street, 14th Floor
Los Angeles, California 90017
Telephone: 213-623-2221
Facsimile: 213-623-2211